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is, their dependence upon given objective and subjective conditions—is well shown. Especially is this illustrated in the treatment of autocracy and religious toleration. Particular mention should also be made of the last four lectures of Course I, in which the concept of political liberty is analyzed in a thoroughly philosophical manner, and the idea in its correct meaning is applied to concrete conditions in a way that cannot but afford sound practical information.

WASHINGTON, D.C.

W. W. WILLOUGHBY.

Proportional Representation. By JOHN R. COMMONS, Professor of Sociology in Syracuse University. New York, Thomas Y. Crowell & Co., 1896.—298 pp.

Among the remedies most ardently advocated of late years for misgovernment, and particularly for municipal misgovernment, is proportional representation. This seems to be the form which has been given to the movement for minority representation that had so much force twenty-five years ago. It is very opportune, therefore, that the subject has been treated in the new form which it has assumed. As Professor Commons points out, our present ideas of representation are moulded by the facts of a political life which has now very largely ceased. Originally it was regarded as essential to secure the representation of neighborhoods; but now that these have become less distinctive, the need of neighborhood representation has almost vanished. Neighborhood feeling has died out almost completely in municipalities except in those of great size; and while not extinct in the states, it is by no means so strong as formerly, nor is it confined by so narrow circumscriptions. Almost all districts having thus become more homogeneous, from the point of view of the opinions which are based on peculiar local conditions, it is apparently necessary to find some basis of representation other than neighborhood or locality. This basis is found by the advocates of proportional representation in social opinions. The argument that representation based on this idea will lead to the formation of social parties is answered by the statement that proportional representation would not be responsible for the existence of these opinions, but would merely recognize what already exists, and would thereby subserve the purposes of justice.

Professor Commons devotes much of his book to showing the unfairness of both general-ticket and district-ticket representation, which from the point of view of representation in many cases have the same result; and he cites in illustration the New York city

election of 1892, where one party with a vote of 166,693 obtained all the seats in the common council, while another party with 99,643 obtained none (p. 71). Under the proposed system of representation he shows that both parties would be equitably represented, though the practical illustration which he gives embodies the startling mathematical achievement of dividing thirty members so that three parties should have respectively nineteen, twelve, and one. He also advances many arguments to prove that it would bring much better men into our legislative assemblies. It is not the purpose of this review to answer or even to consider these arguments, but it may be noticed that twenty-five years ago very much the same arguments were advanced in favor of minority representation, which is now almost universally admitted to have failed.

The concrete method of proportional representation proposed by Professor Commons, which is said to have been adopted by the American Proportional Representation League, is, however, subject to criticism. This plan is known to the initiated as that of "forced fractions." The method followed is to divide the total number of votes cast by the number of seats to be filled, which will give what is called the "electoral quota." Each party then receives seats equal in number to the times its total number of votes contains this "electoral quota." If there are any remainders after the division and the seats are not all filled, the remaining seats are awarded to the parties having the largest remainders. Provision is made for allowing the voters to "bolt" the party ticket, provided they vote for some one of the official candidates; and for indicating their preferences for particular candidates on their party tickets.

This plan of distributing the seats to be filled, that is, the system of "forced fractions" or remainders, was adopted in the Swiss Canton of Ticino in 1890, but was abandoned in 1891, on account of the fact, as reported by the Neuchatel Commission of 1891, that minority parties subdivided themselves so cunningly that they were able to get more than their share of the seats to be filled. This system of distribution is not, as stated by Professor Commons, the system adopted in Neuchatel. That system (Law of 28 October, 1891, Art. 62) provides that in case there are seats to be filled after applying the electoral quota to the vote of each party, such seats shall be awarded to the party or parties casting the largest vote. The recent experience of New York in the use of the latest ballot law seems to indicate that the subdivision of parties might easily occur here as it did actually occur in Ticino.

Finally, the plan proposed by Professor Commons is open to constitutional objections, although these could, of course, be removed by constitutional amendment. The plan seems to presuppose that the voting shall be confined to the official candidates, as is at present the case in England. All framers of ballot laws have, however, been exceedingly careful not to insist on this requirement, believing it to be unconstitutional. (See *Bowers vs. Smith*, 111 Mo. 45.)

Such are some of the objections which may be advanced to the concrete plan of representation advocated by Professor Commons. Further, it may be said that his book as a whole is destructive rather than constructive. More space is devoted to showing the injustice of our present system — a large part of which would probably remain under any plan of representation that might be devised — than to proving the advantages of proportional representation. The argument that proportional representation would result in the election of better men is, moreover, based on hope rather than experience, for the experience of the countries which have adopted the system does not show that the election of better men has followed. The real reason why it has been adopted in some places is to be found in the fact that representation by general ticket, which was more or less the rule before the adoption of the system of proportional representation, had resulted in giving control to the minority rather than to the majority. It is to this fact rather than to dissatisfaction with a properly arranged district system of representation that the success of the movement for proportional representation, so far as it has been successful, is due. Finally, it is strange that a book which is evidently intended to be an exhaustive criticism of the various plans of representation, and which in other respects carries out this intention so well, should make no mention of the Bernitz method of counting votes, under the plan of cumulative voting upon which so much stress is laid by Mr. Forney in his excellent little book on the representation of minorities. This is all the more remarkable, since a perusal of Professor Commons's book shows that he is familiar with the work that Mr. Forney has done.

F. J. GOODNOW.

Les Assemblées Provinciales de la Gaule Romaine. Par ERNEST CARETTE, Docteur en Droit, Avocat à la Cour de Paris. Paris, Alphonse Picard & Fils, 1895. — 503 pp.

M. Carette has treated an interesting theme with German minuteness of research and German prolixity of statement. The Celtic assemblies of the period preceding the Roman conquest and